

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

SAWELIJA TYREE FLOYD,	)	
	)	
Petitioner,	)	
	)	
v	)	Civil Action No. 3:08cv133-MEF
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER ON MOTION**

Pending before the court (Doc. No. 3) is the motion to proceed without prepayment of fees filed by the petitioner in conjunction with his motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255. There is no filing fee required for a motion to vacate filed pursuant to 28 U.S.C. § 2255. Accordingly, upon consideration of the motion to proceed without prepayment of fees, it is

ORDERED that this motion (Doc. No. 3) be and is hereby DENIED as moot.

Done this 26<sup>th</sup> day of February, 2008.

/s/Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE